

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IRMA MARQUEZ,

-vs-

Index No. 08 CV 4903

(J. Robinson)

THE CITY OF YONKERS, ET. AL.,

STATE OF NEW YORK)
COUNTY OF NEW YORK)

Undersigned deponent, being duly sworn deposes and says that said deponent is not a party to this action, is over the age of eighteen years and resides in the State of New York. Deponent served the within process as follows:

PROCESS SERVED: SUMMONS, JURY TRIAL DEMAND and COMPLAINT

PARTY SERVED: THE CITY OF YONKERS c/o CORPORATION COUNSEL

LOCATION OF SERVICE: 40 South Broadway
Yonkers, NY 10701

PARTY ACCEPTING SERVICE: Nicole Greco, Law Department Clerk


DATE OF SERVICE: 6/05/08 **TIME OF SERVICE:** 1:43 p.m.

An approximate description of the person served with process listed herein:

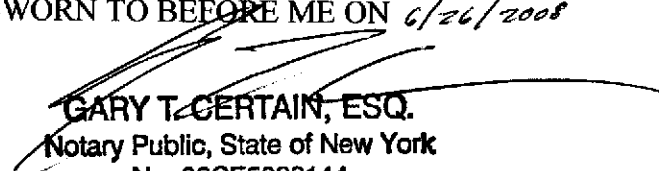
SEX: F **SKIN COLOR:** White **HAIR:** Brown **AGE:** 36 **HEIGHT:** 5'6"
WEIGHT: 138 **OTHER FEATURES:** Blue eyes.

Deponent further states that the within process was served in the following manner:

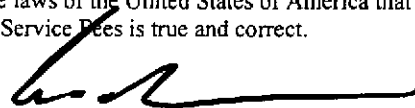
By delivering to and leaving with the above named person who is the authorized agent of said Government Agency.


ERIC AVERBACH
NYC Lic. #918927

SWORN TO BEFORE ME ON 6/26/2008


GARY T. CERTAIN, ESQ.
Notary Public, State of New York
No. 02CE5088144
Qualified in New York County
Commission Expires 11/17/2009

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	6/05/08
NAME OF SERVER (PRINT) Eric Averbach	TITLE	Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Served personally upon the defendant. Place where served: <input checked="" type="checkbox"/> Left copies thereof at the defendant's residence ^{Business} or usual place of business ^{Business} with a person of suitable age and discretion therein. Name of person with whom the summons and complaint were left: The City of Yonkers c/o Corporation Counsel Nicole Greco </div> <div> <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): </div> </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL XXXX \$0.00 \$40.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;"> Executed on <u>6/26/08</u> <small>Date</small> </div> <div style="width: 60%; text-align: center;">  <small>Signature of Server</small> </div> </div> <div style="text-align: center; margin-top: 20px;"> <u>2746 Rockefeller Center NY, NY</u> <small>Address of Server</small> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

IRMA MARQUEZ

v

08

SUMMONS IN A CIVIL ACTION

CV 4903
CASE NUMBER
JUDGE ROBINSON

THE CITY OF YONKERS, CITY OF
YONKERS POLICE DEPARTMENT,
POLICE OFFICER WAYNE SYMOES,
POLICE OFFICER STEPHEN WALLIN,
POLICE OFFICER JOHN LIBERATORE,
POLICE OFFICER TODD MENDELSON,
DEPUTY CHIEF EDWARD GEISS,
DETECTIVE JAMES J. McCABE, POLICE
OFFICER RANCE HOWARD, POLICE
OFFICER INTERVALLE, POLICE
OFFICER ESTEVEZ,

TO: THE CITY OF YONKERS
40 SOUTH BROADWAY
YONKERS, NEW YORK 10701

YOU ARE HEREBY SUMMONED and required to serve on Plaintiff's Counsel, Certain & Zilberg, PLLC 535 Fifth Avenue, New York, New York 10017.

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 28 2008

J. MICHAEL McMAHON

CLERK

Catherine Lappegg

(By) DEPUTY CLERK

DATE